REMARKS

Claim 25 has been amended to include the limitations previously recited in claim 26. Claim 25 has also been amended to specify that the "aliphatic polyester" is a "polyactic acid" as recited in [0042], and to specify that the temperature of the heat fluid is "120-170°C" as recited in [0085]. The specification has been amended to specify that Examples 11 and 12 are Comparative Examples.

The Examiner has objected to the specification because the status of this application is incorrect. The status information has been updated. Accordingly, this objection should be withdrawn.

Claims 25 and 27-29 have been rejected under 35 USC 102(a) as being anticipated by Okawa. This rejection is respectfully traversed. Independent claim 25 has been amended to claim a two-step drawing process as previously recited in claim 26. Okawa only discloses a one-step drawing process. The use of a one-step drawing process makes it difficult to obtain high level crimpling and actualization thereof at low heat temperatures. Accordingly, Okawa recommends a temperature of 170-200°C for the heat fluid. In comparison, claim 25 as amended specifies that the temperature of the heat fluid is 120-170°C. The high temperatures used in Okawa cause fusion bonding of the single yarn or reduce the breaking strength of the crimped yarn as described in paragraph [0085] of this application.

Since Okawa fails to disclose or suggest the claimed two-step drawing process and the claimed heat fluid temperatures, this rejection should be withdrawn.

Claims 25 and 27-29 stand rejected under 35 USC 103(a) as being unpatentable over Okawa in combination with Uda. Claim 26 stand rejected under 35 USC 103(a) as being unpatentable over Okwaw in combination with Uda and Nakamura. These rejections are respectfully traversed.

As recited above, Okawa fails to disclose or suggest the claimed two-step drawing process and the claimed heat fluid temperatures. Nakamura is cited as showing the claimed two-step drawing process. Nakamura, however, does not disclose a crimped yarn, but rather disclose making

flat yarns or split yarns by cutting films. Further, Nakamura fails to disclose the claimed polylactic acid yarn. Accordingly, Nakamura fails to disclose or suggest the claimed method of making a crimped yarn. Uda is cited by the Examiner to show the claimed properties of the yarn. Uda, however, does not disclose a polylactic acid yarn. Instead, Uda discloses glycolic acid and polybasic yarns. Accordingly, Uda does not disclose or suggest a yarn with the claimed properties.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **360842009711**.

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Respectfully submitted,

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